

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:04CR3091
	)	
v.	)	
	)	
MARK A. KILPATRICK,	)	MEMORANDUM AND ORDER
	)	
Defendant.	)	

Upon consideration of the defendant's motion for discharge from probation, the court is of the view that although an early discharge from probation was and will continue to be seriously considered at some point, it is premature at this point when the defendant has been on supervision less than six months of a three-year term.

IT THEREFORE HEREBY IS ORDERED, the motion, filing 46, is denied.

Dated May 24, 2005.

BY THE COURT

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge